



State of Maine
Office of the Public Advocate
112 State House Station, Augusta, Maine 04333-0112
(207) 624-3687 (voice) 711 (TTY) www.Maine.gov/meopa

Hobbins

Janet T. Mills
GOVERNOR

Barry J.
PUBLIC ADVOCATE

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Chairman Lawrence, Chairman Berry and Members of the Energy, Utilities and Technology Committee,

My name is Barry Hobbins and I am the Public Advocate with the Office of the Public Advocate and I am here today to testify neither for nor against LD 1432 “An Act To Update the Municipal Gigabit Broadband Network Access Fund.”

We would like to commend Representative Kessler for bringing this bill forward for discussion. The OPA is hesitant to lend its support to this piece of legislation due to questions the office has after reviewing the bill;

- Why is the Municipal Gigabit Broadband Network Access Fund being excepted from the protections in 9204-A(8)? Is similar oversight provided somewhere else?
- Why are communities and regional partnerships no longer able to access the Fund?
- Is “either that no more than one Internet service provider already offers symmetrical high-speed Internet to a majority of the premises to be served or that the grant will be used to construct or expand an open-access network” an effective substitute for “unserved or underserved”?
- Is this the only criterion to be eligible to access this Fund?
- Why are the information requirements in 9211-A 5(A)-(E) being eliminated?
- Why is the cash matching in 9211-A(7) being eliminated?

- Why is the requirement for rulemaking being eliminated 9211-A(9)?
- Why is the grant cap being eliminated?

Finally, the Office of the Public Advocate believes that there needs to be a more streamlined approach to addressing the expansion of broadband in the state, especially in rural areas. A more comprehensive bill that incorporates an all-encompassing approach that also involves the ConnectMaine Authority in the decision making process will be the best way to achieve this ambitious project instead of a number of bills that only address one or two issues and create inconsistencies in the process.

Thank you for your time, attention and consideration of this testimony. The Office of the Public Advocate looks forward to working with the Committee on LD 1432, and will be present at the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,



Barry J. Hobbins
Public Advocate